

Continuation of Substance of Interview including description of the general nature of what was discussed: Based on my review of the prior art with the representative, I suggested that the limitations of claim 7 be added to the other independent claims and the language that further limited the breadth of the claims be added to the claims, and this may make the claims allowable. .

Attorney Docket: 016712-0281228

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of:
JASEN *et al.*

Confirmation Number: 8002

Application No.: 09/855,021

Group Art Unit: 2141

Filed: May 15, 2001

Examiner: S. WILLETT

TITLE: METHOD AND SYSTEM FOR PRIORITIZING NETWORK SERVICES

August 18, 2006

PROPOSED SUPPLEMENTAL AMENDMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant proposes the following amendments to the above-identified application, and requests consideration of the following remarks:

IN THE CLAIMS:

Subject to the authorization of Applicant, this proposed listing of claims would replace all prior versions, and listings, of claims in the application:

1. (Currently Amended) A method of prioritizing network communications, comprising:

 providing a plurality of TCP ports with each TCP port receiving network communications of a different level of priority;

 providing an electronic coupon indicating a level of priority of a network communication;

 determining at a server based upon data, received from a client or user, from the electronic coupon the level of priority of the network communication; and

 directing the network communication from the client or user to one of the plurality of TCP ports receiving communications of the determined level of priority until the level of priority is terminated or modified.

2. (Original) The method of claim 1, further comprising determining if the network communication should be provided prioritization based upon a URL or IP address associated with the network communication.

3. (Original) The method of claim 2, wherein if it is determined that the network communication should not be provided prioritization, handling the network communication in a normal manner without prioritization.

4. (Original) The method of claim 1, further comprising:

determining from the electronic coupon quality of service (QoS) information; and
applying the QoS information to the network communication.

5. (Original) The method of claim 1 wherein the network communications are
Internet Protocol communications.

6. (Original) The method of claim 1 wherein the level of priority of a network
communication is defined in relation to any one of customer value, content value, transaction
value, or temporal value.

7. (Currently Amended) A method for prioritizing network services, the network
services including communications traffic, the method comprising:

determining at a server based upon data, received from a client or user, in a coupon
associated with the client or user~~source~~, the coupon defining a mode of prioritization, that
the communications traffic should receive prioritization; and

applying the mode of prioritization defined by the coupon to all subsequent
communications traffic from the client or user~~source~~ until the mode of prioritization is
terminated or modified.

8. (Original) The method of claim 7 wherein the coupon further defines a level of
prioritization and applying the mode of prioritization further comprises applying the level of
prioritization defined by the coupon to the communications traffic.

9. (Original) The method of claim 8 wherein the level of prioritization is defined in
relation to any one of customer value, content value, transaction value, or temporal value.

10. (Original) The method of claim 7 wherein the mode of prioritization comprises any one of remapping a TCP port associated with the communications traffic to another TCP port, remapping a URL or IP address associated with the communications traffic to another URL or IP address, or tagging quality of service (QoS) information into the communications traffic.

11. (Original) The method of claim 7 wherein the network services are Internet services and the communications traffic is Internet communications traffic.

12. (Original) The method of claim 7, wherein determining that the communications traffic should receive prioritization comprises determining that the communications traffic should receive prioritization based upon a URL or IP address associated with the communications traffic.

13. (Original) The method of claim 7, further comprising:
determining that the communications traffic should not receive prioritization; and
handling the communications traffic in a normal manner without prioritization.

14. (Original) The method of claim 7, further comprising providing a client to a user of the network services to perform the determining that the communications traffic should receive prioritization and applying the mode of prioritization defined by the coupon to the communications traffic.

15. (Currently Amended) A method for prioritizing network services, the network

services including communications traffic, the method comprising:

determining at a server based upon data, received from a client or user, in a coupon associated with the client or user that the communications traffic from ~~the a~~-client or user should receive a mode of prioritization; and

applying the mode of prioritization to all subsequent communications traffic from the client or user until the mode of prioritization is terminated or modified.

16. (Original) The method of claim 15 further comprising determining that the communications traffic should receive a level of prioritization and applying the mode of prioritization further comprises applying the level of prioritization to the communications traffic.

17. (Original) The method of claim 16 wherein the level of prioritization is defined in relation to any one of customer value, content value, transaction value, or temporal value.

18. (Original) The method of claim 15 wherein the mode of prioritization comprises any one of remapping a TCP port associated with the communications traffic to another TCP port, remapping a URL or IP address associated with the communications traffic to another URL or IP address, or tagging quality of service (QoS) information into the communications traffic.

19. (Original) The method of claim 15 wherein the network services are Internet services and the communications traffic is Internet communications traffic.

20. (Original) The method of claim 15, wherein determining that the communications

traffic should receive prioritization comprises determining that the communications traffic should receive prioritization based on log-in information of a user associated with the communications traffic.

21. (Original) The method of claim 15, further comprising:

determining that the communications traffic should not receive prioritization; and
handling the communications traffic in a normal manner without prioritization.

22. (Withdrawn) A client for prioritizing communications traffic, comprising:

a coupon management unit to determine based upon data in a coupon, the coupon defining a mode of prioritization including remapping a TCP port associated with the communications traffic to another TCP port or remapping a URL or IP address associated with the communications traffic to another URL or IP address, that the communications traffic should receive prioritization; and

a port and/or URL or IP address remapping unit to apply the mode of prioritization defined by the coupon to the communications traffic.

23. (Withdrawn) The client of claim 22, wherein the coupon management unit

determines that the communications traffic should receive prioritization based upon a URL or IP address associated with the communications traffic.

24. (Withdrawn) The client of claim 22 wherein the coupon further defines a

level of prioritization and the port and/or URL or IP address remapping unit applies the level of prioritization defined by the coupon to the communications traffic.

25. (Withdrawn) The client of claim 24 wherein the level of prioritization is defined in relation to any one of customer value, content value, transaction value, or temporal value.

26. (Withdrawn) The client of claim 22, wherein the mode of prioritization includes tagging quality of service (QoS) information into the communications traffic and further comprises a QoS tagging unit to apply the QoS information defined by the coupon to the communications traffic.

27. (Withdrawn) The client of claim 22 wherein the communications traffic is Internet communications traffic.

28. (Withdrawn) A server for prioritizing communications traffic, comprising:
a coupon management unit to provide a coupon, the coupon defining a mode of prioritization including remapping a TCP port associated with the communications traffic to another TCP port or remapping a URL or IP address associated with the communications traffic to another URL or IP address;

an installation process unit to make available to a user of the communications traffic the coupon or a client that determines whether the communications traffic should receive prioritization and applying the mode of prioritization defined by the coupon to the communications traffic.

29. (Withdrawn) The server of claim 28, wherein the client determines that the communications traffic should receive prioritization based upon a URL or IP address associated with the communications traffic.

30. (Withdrawn) The server of claim 28 wherein the coupon further defines a level of prioritization and the client applies the level of prioritization defined by the coupon to the communications traffic.

31. (Withdrawn) The server of claim 30 wherein the level of prioritization is defined in relation to any one of customer value, content value, transaction value, or temporal value.

32. (Withdrawn) The server of claim 28, wherein the mode of prioritization includes tagging quality of service (QoS) information into the communications traffic and the client applies the QoS information defined by the coupon to the communications traffic.

33. (Withdrawn) The server of claim 28 wherein the communications traffic is Internet communications traffic.

34. (Currently Amended) A server for prioritizing communications traffic, comprising:

an in-line prioritization unit to determine based upon data, received from a client or user, in a coupon associated with the client or user that the communications traffic from the client or user ~~a source~~ should receive a mode of prioritization; and

a prioritization mode unit to apply the mode of prioritization to all subsequent communications traffic from the client or user ~~source~~ until the mode of prioritization is terminated or modified.

35. (Previously Presented) The server of claim 34, wherein the in-line prioritization unit is configured to determine that the communications traffic should receive a level of prioritization and the prioritization mode unit further is configured to apply the level of prioritization to the communications traffic.

36. (Original) The server of claim 35 wherein the level of prioritization is defined in relation to any one of customer value, content value, transaction value, or temporal value.

37. (Original) The server of claim 34, wherein the mode of prioritization includes any one of remapping a TCP port associated with the communications traffic to another TCP port, remapping a URL or IP address associated with the communications traffic to another URL or IP address, or tagging quality of service (QoS) information into the communications traffic.

38. (Original) The server of claim 34 wherein the communications traffic is Internet communications traffic.

39. (Previously Presented) The server of claim 34, wherein the in-line prioritization unit is configured to determine that communications traffic should receive a mode of prioritization based on log-in information of a user associated with the communications traffic.

40. (Currently Amended) A system for prioritizing network services, the network services including communications traffic, the system comprising:

means for determining at a server based upon data received from a client or user, in a

coupon associated with the client or user~~a source~~, the coupon defining a mode of prioritization, that the communications traffic should receive prioritization; and

means for applying the mode of prioritization defined by the coupon to all subsequent communications traffic from the client or user~~source~~ until the mode of prioritization is terminated or modified.

41. (Original) The system of claim 40 wherein the coupon further defines a level of prioritization and the means for applying the mode of prioritization further comprises means for applying the level of prioritization defined by the coupon to the communications traffic.

42. (Original) The system of claim 41 wherein the level of prioritization is defined in relation to any one of customer value, content value, transaction value, or temporal value.

43. (Original) The system of claim 40 wherein the mode of prioritization comprises any one of remapping a TCP port associated with the communications traffic to another TCP port, remapping a URL or IP address associated with the communications traffic to another URL or IP address, or tagging quality of service (QoS) information into the communications traffic.

44. (Original) The system of claim 40 wherein the network services are Internet services and the communications traffic is Internet communications traffic.

45. (Original) The system of claim 40, wherein the means for determining that the communications traffic should receive prioritization comprises means for determining that the communications traffic should receive prioritization based upon a URL or IP address

associated with the communications traffic.

46. (Currently Amended) A system for prioritizing network services, the network services including communications traffic, the system comprising:

means for determining at a server based upon data, received from a client or user, in a coupon associated with the client or user that the communications traffic from the a-client or user should receive a mode of prioritization; and

means for applying the mode of prioritization to all subsequent communications traffic from the client or user until the mode of prioritization is terminated or modified.

47. (Original) The system of claim 46 further comprising means for determining that the communications traffic should receive a level of prioritization and the means for applying the mode of prioritization further comprises means for applying the level of prioritization to the communications traffic.

48. (Original) The system of claim 47 wherein the level of prioritization is defined in relation to any one of customer value, content value, transaction value, or temporal value.

49. (Original) The system of claim 46 wherein the mode of prioritization comprises any one of remapping a TCP port associated with the communications traffic to another TCP port, remapping a URL or IP address associated with the communications traffic to another URL or IP address, or tagging quality of service (QoS) information into the communications traffic.

50. (Original) The system of claim 46 wherein the network services are Internet

services and the communications traffic is Internet communications traffic.

51. (Original) The system of claim 46, wherein the means for determining that the communications traffic should receive prioritization comprises means for determining that the communications traffic should receive prioritization based on log-in information of a user associated with the communications traffic.

52. (Original) The system of claim 46, further comprising:
means for determining that the communications traffic should not receive prioritization; and
means for handling the communications traffic in a normal manner without prioritization.

53. (Currently Amended) A computer program product including computer program code to cause a computer to perform a method for prioritizing network services, the network services including communications traffic, the method comprising:
determining at a server based upon data, received from a client or user, in a coupon associated with the client or user~~a source~~, the coupon defining a mode of prioritization, that the communications traffic should receive prioritization; and
applying the mode of prioritization defined by the coupon to all subsequent communications traffic from the client or user~~source~~ until the mode of prioritization is terminated or modified.

54. (Original) The computer program product of claim 53 wherein the coupon further defines a level of prioritization and applying the mode of prioritization further comprises

applying the level of prioritization defined by the coupon to the communications traffic.

55. (Original) The computer program product of claim 54 wherein the level of prioritization is defined in relation to any one of customer value, content value, transaction value, or temporal value.

56. (Original) The computer program product of claim 53 wherein the mode of prioritization comprises any one of remapping a TCP port associated with the communications traffic to another TCP port, remapping a URL or IP address associated with the communications traffic to another URL or IP address, or tagging quality of service (QoS) information into the communications traffic.

57. (Original) The computer program product of claim 53 wherein the network services are Internet services and the communications traffic is Internet communications traffic.

58. (Original) The computer program product of claim 53, wherein determining that the communications traffic should receive prioritization comprises determining that the communications traffic should receive prioritization based upon a URL or IP address associated with the communications traffic.

59. (Original) The computer program product of claim 53, the method further comprising:

determining that the communications traffic should not receive prioritization; and
handling the communications traffic in a normal manner without prioritization.

60. (Original) The computer program product of claim 53, the method further comprising providing a client to a user of the network services to perform the determining that the communications traffic should receive prioritization and applying the mode of prioritization defined by the coupon to the communications traffic.

61. (Original) A computer program product including computer program code to cause a computer to perform a method of prioritizing network communications, the method comprising:

providing a plurality of TCP ports with each TCP port receiving network communications of a different level of priority;

providing an electronic coupon indicating a level of priority of a network communication;

determining at a server based upon data, received from a client or user, from the electronic coupon the level of priority of the network communication; and

directing the network communication from the client or user to one of the plurality of TCP ports receiving communications of the determined level of priority until the level of priority is terminated or modified.

62. (Original) The computer program product of claim 61, the method further comprising determining if the network communication should be provided prioritization based upon a URL or IP address associated with the network communication.

63. (Original) The computer program product of claim 62 wherein the level of priority is defined in relation to any one of customer value, content value, transaction value,

or temporal value.

64. (Original) The computer program product of claim 61, wherein if it is determined that the network communication should not be provided prioritization, handling the network communication in a normal manner without prioritization.

65. (Original) The computer program product of claim 61, further comprising:
determining from the electronic coupon quality of service (QoS) information; and
applying the QoS information to the network communication.

66. (Original) The computer program product of claim 61 wherein the network communications are Internet communications.

67. (Currently Amended) A computer program product including computer program code to cause a computer to perform a method for prioritizing network services, the network services including communications traffic, the method comprising:

determining at a server based upon data, received from a client or user, in a coupon associated with the client or user that the communications traffic from the a-client or user should receive a mode of prioritization; and

applying the mode of prioritization to all subsequent communications traffic from the client or user until the mode of prioritization is terminated or modified.

68. (Original) The computer program product of claim 67, the method further comprising determining that the communications traffic should receive a level of prioritization and applying the mode of prioritization further comprises applying the level of

prioritization to the communications traffic.

69. (Original) The computer program product of claim 68 wherein the level of prioritization is defined in relation to any one of customer value, content value, transaction value, or temporal value.

70. (Original) The computer program product of claim 67 wherein the mode of prioritization comprises any one of remapping a TCP port associated with the communications traffic to another TCP port, remapping a URL or IP address associated with the communications traffic to another URL or IP address, or tagging quality of service (QoS) information into the communications traffic.

71. (Original) The computer program product of claim 67 wherein the network services are Internet services and the communications traffic is Internet communications traffic.

72. (Original) The computer program product of claim 67, wherein determining that the communications traffic should receive prioritization comprises determining that the communications traffic should receive prioritization based on log-in information of a user associated with the communications traffic.

73. (Original) The computer program product of claim 67, the method further comprising:

determining that the communications traffic should not receive prioritization; and
handling the communications traffic in a normal manner without prioritization.

74. (Cancelled)

75. (Cancelled)

76. (Cancelled)

77. (Cancelled)

REMARKS

Reconsideration and allowance of the present patent application based on the proposed foregoing amendments and following remarks are respectfully requested.

Further to the telephone conversations between Examiner Willett and the undersigned on August 15 and 18, 2006 and which are summarized herein, by this Proposed Amendment, claims 1, 7, 15, 34, 40, 46, 53, 61 and 67 would be amended to further recite the claimed invention, but would not be made in response to any rejection of the claims and would be made merely to expedite prosecution. Claims 74-77 would be cancelled without prejudice or disclaimer. No new matter would be added. Upon entry of the cancellation of claims 74-77, claims 1-73 would be pending in this patent application, of which claims 22-33 are withdrawn from consideration and claims 1-6 and 61-66 are provisionally withdrawn depending on consideration of Applicant's traverse to the Examiner's restriction requirement, made in Applicant's Response filed November 18, 2005.

As discussed and agreed, Examiner will reconsider the restriction requirement of claims 1-6 and 61-66 and allow them to remain under consideration in this application. Further, Examiner believes the amendments made herein to the pending claims, which would not be made in response to any rejection of the claims, will make this application allowable. If Examiner allows the pending claims 1-21 and 34-73, Applicant authorizes the Examiner to cancel withdrawn claims 22-33.

It is respectfully submitted that the present application is in condition for allowance. If questions relating to patentability remain, the examiner is invited to contact the undersigned.

Should any fees be due, please charge them to our deposit account no. 03-3975, under our order no. 016712/0281228. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced deposit account.

Respectfully submitted,
PILLSBURY WINTHROP SHAW PITTMAN LLP

Jean-Paul G. Hoffman
Reg. No. 42,663
Tel. No. 703-770-7794
Fax No. 703-770-7901

P.O. Box 10500
McLean, VA 22102
(703) 770-7900